



Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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DRAFT MINUTES FOR OFFICE BASED SURGERY COMMITTEE MEETING

Held at 12:00 p.m. on December 8, 2005

9545 E. Doubletree Ranch Road • Scottsdale, Arizona

Office Based Surgery Committee Members

William R. Martin III, M.D.

Ram R. Krishna, M.D.

Douglas D. Lee, M.D.

CALL TO ORDER

William R. Martin III, M.D., Chair, called the meeting to order at 12:20 p.m.

ROLL CALL

The following Committee Members were present: William R. Martin III, M.D., Douglas D. Lee, M.D. and Ram R. Krishna, M.D.

CALL TO THE PUBLIC

There was no one present for Call to the Public.

NON-TIME SPECIFIC ITEMS

Approval of Minutes

MOTION: Ram R. Krishna, M.D. moved to approve the August 10, 2005 Office Based Surgery Minutes.

SECONDED: Douglas D. Lee, M.D.

VOTE: 3-yay, 0-nay, 0-abstain/recuse, 0-absent

MOTION PASSED.

Proposed Office Based Surgery Rules

Mr. Timothy Miller, J.D., Executive Director summarized amendments and additions that had been made to working documents for the Office Based Surgery Rules. He said the Rules were now in rule format and he wanted to verify that the changes he had made had not altered the intent or meaning of the Rules.

Mr. Miller explained the Rules cannot go forward without the proposed change in statute pending before the Legislature, but suggested the Committee continue to write the Rules while he asks the Board's approval to propose language requesting the Legislature make the statute pertaining to office based surgery effective immediately on the Governor's signature.

Mr. Miller said that in Rule R4-16-701 he was careful to note that physicians who treat patients under general anesthesia be licensed with the Arizona Department of Health Service (ADHS). Dr. Lee agreed that it was appropriate that general anesthesia not be included in the Office Based Surgery Rules.

Mr. Miller said that for R4-16-702 and R4-16-703 he used language from Anesthesiology Association and the Ambulatory Surgical Center for the Office Based Surgery Rules. He said the language became complicated in relation to the three actors mentioned: 1) the physician, 2) Staff member, 3) a physician monitoring another physician. He said he changed passive language to active language and made it clear the physician is the one responsible for all of the actors and asked the Committee to verify the physician should be accountable for the tasks mentioned in the rules.

In regard to R4-16-704-4 Douglas D. Lee, M.D. said he felt it was necessary that a healthcare professional was present who was dedicated solely to the patient during surgery while the physician performed the surgery. All members were in agreement on leaving the wording as currently drafted.

Mr. Miller referred to R4-16-704 and R4-16-705 and said he understood there were varying types of sedation, mild, moderate and deep sedation. He asked for clarification on the wording when the patient is moved from one sedation monitoring to another. Dr. Lee said the common language used would be to "transfer" the patient from monitoring.

For R4-16-706 Mr. Miller said he was careful to word the Rules to show that the Arizona Medical Board does not regulate facilities nor the equipment within the facilities. He did, however, mention the Board could find unprofessional conduct on behalf of a physician working in an unregulated facility, if so determined by the regulatory agency for that facility.

Dr. Lee said he believed it was important in regulating patient's safety, to include that Advanced Cardiac Life Support (ACLS) and Pediatric Life Support (PALS) be requirements for Office Based Surgery. Ram R. Krishna, M.D. and William R. Martin, III, M.D. agreed to the requirements.

Dr. Lee clarified the term "availability" was too general because it could imply the physician could be available by phone. Dr. Lee said "readily available" usually implies the physician could be physically available and so he recommended using that language.

For R4-16-707 Mr. Miller said he left the rule without any formality between physician and treating facility for transfer provisions. Dr. Krishna said that some communication between the physician and facility in general would be acceptable.

Mr. Miller asked the Committee Members to submit any changes to him within the following two weeks.

The Meeting adjourned at 12:48 p.m.

[seal]

Timothy C. Miller, J.D., Executive Director